

**FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983**  
**in the UNITED STATES DISTRICT COURT for the SOUTHERN DISTRICT of GEORGIA**

Charles Edward Moxley

(Enter above full name of plaintiff or plaintiffs)

CV111 024

v.

Gregory T. Coursey

James Hollingsworth

## Burke County Jail

And nursing staff at the Jail

(Enter above full name of defendant or defendants)

## I. Previous lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: N/A

**Defendants:** \_\_\_\_\_

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2. Court (if federal court, name the district; if state court, name the county):

W/1

3. Docket number: N/A

4. Name of judge assigned to case: N/A

5. Disposition

(for example, was the case dismissed? appealed? is it still pending?):

N/A

6. Approximate date of filing lawsuit: N/A

7. Approximate date of disposition: N/A

8. Were you allowed to proceed *in forma pauperis* (without prepayment of fees)? N/A Yes        No       

B. While incarcerated or detained in any facility, have you brought any lawsuits in federal court which deal with facts other than those involved in this action?

Yes        No ✓

If your answer to B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to previous lawsuit:

Plaintiffs: N/A

Defendants: \_\_\_\_\_  
\_\_\_\_\_

2. Court (name the district):

N/A

3. Docket number: \_\_\_\_\_

4. Name of judge assigned to case: N/A

5. Disposition

(for example, was the case dismissed? appealed? is it still pending?):

N/A

6. Approximate date of filing lawsuit: N/A

7. Approximate date of disposition: N/A

8. Were you allowed to proceed *in forma pauperis* (without prepayment of fees)? N/A Yes \_\_\_\_\_ No \_\_\_\_\_

C. As to any lawsuit filed in federal court where you were allowed to proceed *in forma pauperis*, was any suit dismissed on the ground that it was frivolous, malicious, or failed to state a claim? N/A Yes \_\_\_\_\_ No \_\_\_\_\_

1. If your answer to C is yes, name the court and docket number for each case:

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

II. Place of present confinement: Jefferson County Jail P.O. Box 72  
Louisville, GA 30434

A. Is there a prisoner grievance procedure in this institution? Yes  No \_\_\_\_\_

B. Did you present the facts relating to your complaint to the appropriate grievance committee? Yes  No \_\_\_\_\_

C. If your answer to B is yes:

1. What steps did you take? I sent Request after Request to speak to an investigator and/or the Sheriff. I sent 9 to the Sheriff and 6 to Major Hollingsworth. The Sheriff stated he got the letters but would not talk to me.

2. What was the result? They would not talk to me about anything. The Grievance I filled were ignored. I asked to speak to the GBI/FBI about fires and stolen equipment. My wife called the GBI and they could not visit me unless the Sheriff stated it.

3. Did you appeal any adverse decision to the highest level possible in the administrative procedure? Yes  No

If yes, what was the result? I got nowhere. I was refused to speak to the GBI / FBI. The Sheriff would not speak to me and denied me a right to speak with any other branch of Government.

D. If you did not utilize the prison grievance procedure, explain why not:

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#### IV. Parties

(In Item A below, list your name as plaintiff and current address. Provide the name and address of any additional plaintiffs on an attached sheet.)

A. Name of plaintiff: Charles Edward Motley  
Address: P.O. Box 72 Louisville GA 30434 (Jail)  
my home address is P.O. Box 180  
Blythe GA 30805 send a copy to  
Both addresses as I may be transferred

(In Item B below, list the defendant's full name, position, place of employment, and current address. Provide the same information for any additional defendants in Item C below.)

B. Name of defendant: Gregory T. Coursey  
Position: J Sheriff of Burke County Jail  
Place of employment: Burke County Jail  
Current address: 225 GA Hwy 24 S  
Waynesboro GA 30830

C. Additional defendants: James Hollingsworth  
John Bush Jr., Staff (the nurse)  
Burke County Jail and the employees and  
head Nurse  
225 GA Hwy 24 S  
Waynesboro GA 30830

V. Statement of Claim

The charges I am incarcerated for stem from after the burglary of my home I was told that If I make trouble over this I wouldn't live to do the 6 years in prison or the 14 on probation. I know that they can do as they want and get away with it. Lt. Wilburn put me in cell A11 and gave my fellow inmate / roommate A news Article containing my picture and charges. I yelled for a guard because he told me he'd cut my throat. The Guard moved me to the trustee dorm and placed me in a cell with a Smoker. I have Asthma and it was hard to breathe and I also have a heart condition. They put me in the nurses station with James Roton. In very close quarters with Cigarette Smoker. I asked to be moved and they refused. I ran out of my medication and didn't have an inhaler. I asked to go to the Dr and the nurse flat refused to take me. She told me that I would be lucky if she did anything for me due to my charges. She had no right to know my charges. She is a nurse, her job is health care.

Please call my wife and let her (706 836 2327) know to how much the filing fee is and where to bring it to. That's could you please send a copy of this to my home and one to Jefferson County Jail

V. Statement of Claim

State here as briefly as possible the FACTS in your case. Describe how each defendant is personally involved in the depriving you of your rights. You must include relevant times, dates, places, and names of witnesses. DO NOT GIVE LEGAL ARGUMENTS OR CITE ANY CASES OR STATUTES. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

I wrote the sheriff on may 5<sup>th</sup> 2009 - Dec 6<sup>th</sup>, a total of Nine times. I also wrote 6 letters to Mr. Hollingsworth. The sheriff sent to get me to have me speak with an investigator, not directly as I asked. He refused me to speak to any other law enforcement officials concerning my case. I can't read or write, I have to get someone to write for me. In 2009 my house was broken into by my two grandsons and my son in law. My daughter Tammy owners set it up. She tried to get Guy Turner to rob me but he refused. That same night they broke into my home and stole guns, computers, money, and my safe. The witnesses were Guy Turner, Patrick White, Margaret Monard, and another individual that I am unsure of the name of. I told my daughter that I would have her locked up for it. She laughed and said that the sheriff was her personal friend. I called the sheriff 5 months later and he still had not arrested these. He told me that they live in South Carolina and it cost to much to go speak with them. I asked if I should put on the internet "If you want to Rob someone come to Burke County, They won't lock you up if you live out of state." The sheriff got mad and told me that would be the wrong thing to do, he could make my life miserable. I was forced into signing a plea by being threatened with 80 yrs.

VI. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I ask a lawsuit be filed Against Burke County Jail and its employees. I ask to be granted another trial that would be fair. Due to the <sup>fact</sup> that I was threatened and forced to sign a plea. A plea that I didn't understand as I cannot read. It was not explained to me. My lawyer just said to sign it. Due to my unfair trial I have lost friends, contracts that I have had for 20 yrs, my business, and take cabin and 5th wheel travel trailer and my good name.

I ask a new trial be awarded away from Burke County and \$100,000,000<sup>settlement</sup> be awarded for punitive damages and loss of my good name. The Judge wouldn't allow suppression and I was not allowed to see a Dr as I am unable to have sex with anyone, and prove my innocence. I asked to be placed in protective custody during retrial as I am afraid that they will have something done with me. Thank you for your help in this matter.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 11<sup>th</sup> day of Feb, 2011.

8824 (Burke)  
Prisoner No. 15612 (Jefferson) Charles F. Motley  
(Signature of Plaintiff)

Charles Moxley

P.O. Box 7

Laurenville GA

SAV P&DF 314

FRI 18 FEB 2011 PM

Clerk U.S. District Court

P.O. Box 1130

Augusta, GA 30903